



STEVEN L. BESHEAR
GOVERNOR

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
200 FAIR OAKS LANE
FRANKFORT, KENTUCKY 40601-1190
www.kentucky.gov

LEONARD K. PETERS
SECRETARY

FACT SHEET

**KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT TO DISCHARGE TREATED WASTEWATER
INTO WATERS OF THE COMMONWEALTH**

KPDES No.: KY0105821 Permit Writer: William Shane Date: June 12, 2009
AI No.: 55086

1. **SYNOPSIS OF APPLICATION**

a. Name and Address of Applicant

Warren Paving, Inc.
562 Elks Lake Road
Hattiesburg, Mississippi 39403

b. Facility Location

Slats Lucas Quarry (DNR 070-9405)
712 Lee Road
Salem, Livingston County, Kentucky

c. Description of Applicant's Operation

Surface quarry mining of limestone (SIC Code 1422)

d. Design Capacity

Outfall 001 - 66.7 MGD (103.24 cfs)
Outfall 002 - N/A (not constructed)
Outfall 003 - 54.3 MGD (84.03 cfs)
Outfall 004 - 84.3 MGD (130.50 cfs)

e. Description of Existing Pollution Abatement Facilities

Precipitation-based drainage from the quarry is treated in a sedimentation basin prior to discharge

f. Permitting Action

This is a reissuance of a minor KPDES permit for a limestone quarry.

2. RECEIVING WATER

a. Name/Mile Point

Outfall 001 discharges to an unnamed tributary to Claylick Creek at latitude 37°11'36"N and longitude 88°13'15"W (Mile Point 0.6).

Outfall 002 discharges to Claylick Creek at latitude 37°11'18"N and longitude 88°13'06"W (Mile Point 0.6).

Outfall 003 discharges to an unnamed tributary to Cumberland River at latitude 37°11'24"N and longitude 88°13'43"W (Mile Point 0.5).

Outfall 004 discharges to Cumberland River at latitude 37°11'15"N and longitude 88°13'26"W (Mile Point 16.9).

b. Stream Segment Use Classification

Pursuant to 401 KAR 10:026, Section 5, unnamed tributary to Claylick Creek, Claylick Creek, unnamed tributary to Cumberland River, and Cumberland River all carry the following classifications: Warmwater Aquatic Habitat, Primary and Secondary Contact Recreation, Domestic Water Supply

c. Stream Segment Categorization

Pursuant to 401 KAR 10:030, Section 1, unnamed tributary to Claylick Creek, Claylick Creek, unnamed tributary to Cumberland River, and Cumberland River all are categorized as High Quality Waters.

d. Stream Low Flow Condition

The 7-day, 10-year low flow and harmonic mean conditions of Claylick Creek are 2.6 and 9.2 cfs, respectively.

The 7-day, 10-year low flow and harmonic mean conditions of unnamed tributary to Claylick Creek and unnamed tributary to Cumberland River are 0.0 and 0.0 cfs, respectively.

The 7-day, 10-year low flow and harmonic mean conditions of Cumberland River are 4,000 and 18,800 cfs, respectively.

At the Crittenden/Livingston County Water District intake, the nearest downstream public water supply (Mile Point 15.95), the 7-day, 10-year low flow and harmonic mean conditions of Cumberland River are 4,000 and 18,800 cfs, respectively.

3A. REPORTED DISCHARGE AND PROPOSED LIMITS

Serial Number 001 - Quarry Drainage (Design Flow = 66.7 MGD)

Effluent Characteristics	Reported Discharge		Proposed Limits		Applicable Water Quality Criteria and/or Effluent Guidelines
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	
Flow (MGD)	0.106	0.300	Report	Report	401 KAR 5:065, Section 2(8)
Settleable Solids (ml/l)	0.14	0.22	N/A	0.5	401 KAR 5:080, Section 1(2)(c)2
Oil and Grease (mg/l)	5.0	5.0	10.0	15.0	401 KAR 5:080, Section 1(2)(c)2
pH (standard units)	7.1	7.4	6.0 (min)	9.0 (max)	401 KAR 10:031, Section 4
Precipitation (inches/day)	0.29	0.83	Report	Report	401 KAR 5:065, Section 2(8)(a)

The data contained under the reported discharge columns is not from the renewal application, but rather from the analysis of the DMR data that has been reported during the term of the previous permit.

The abbreviation N/A means Not Applicable.

4A. METHODOLOGY USED IN DETERMINING LIMITATIONS

a. Serial Number

Outfall 001 Quarry Drainage (Design Flow = 66.7 MGD)

b. Effluent Characteristics

Flow, Settleable Solids, pH, Oil and Grease, and Precipitation.

c. Pertinent Factors

N/A

d. Monitoring Requirements

Instantaneous flow measurements shall be collected twice per month.

Settleable Solids, Precipitation, and pH shall be monitored twice per month by grab sample.

Oil & Grease shall be monitored one per month by grab sample.

Samples are to be collected during normal working hours.

e. Justification of Conditions

The Kentucky regulations cited below have been duly promulgated pursuant to the requirements of Chapter 224 of the Kentucky Revised Statutes.

Flow and Precipitation

The monitoring requirements for these parameters are consistent with the requirements of 401 KAR 5:065, Section 2(8)(a).

Settleable Solids

The limits for this parameter are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. These limits are representative of the Division of Water's "Best Professional Judgment" (BPJ) determination of the "Best Practicable Control Technology Currently Available" (BPT) and "Best Available Technology Economically Achievable" (BAT) requirements for these types of discharges. The Division of Water based its determination on 40 CFR Part 434 Coal Mining Effluent Guidelines. The mining methods and wastewater treatment for clay, fluorspar, and other vein minerals are sufficiently similar to those for coal mining that application of this requirement is appropriate.

Oil & Grease

The limits for this parameters are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. These limits are representative of the Division of Water's "Best Professional Judgment" (BPJ) determination of the "Best Practicable Technology Currently Available" (BPT) and "Best Available Technology Economically Achievable" (BAT) requirements for these types of discharges.

pH

The limits for this parameter are consistent with the requirements of 401 KAR 10:031, Section 4.

3B. REPORTED DISCHARGE AND PROPOSED LIMITS

Serial Number 002 - Quarry Drainage (Design Flow = N/A MGD)

Effluent Characteristics	Reported Discharge		Proposed Limits		Applicable Water Quality Criteria and/or Effluent Guidelines
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	
Flow (MGD)	NR	NR	Report	Report	401 KAR 5:065, Section 2(8)
Settleable Solids (ml/l)	NR	NR	N/A	0.5	401 KAR 5:080, Section 1(2)(c)2
Oil and Grease (mg/l)	NR	NR	10.0	15.0	401 KAR 5:080, Section 1(2)(c)2
pH (standard units)	NR	NR	6.0 (min)	9.0 (max)	401 KAR 10:031, Section 4
Precipitation (inches/day)	NR	NR	Report	Report	401 KAR 5:065, Section 2(8)(a)

The data contained under the reported discharge columns is not from the renewal application, but rather from the analysis of the DMR data that has been reported during the term of the previous permit.

The abbreviation NR means Not Reported.

The abbreviation N/A means Not Applicable.

4B. METHODOLOGY USED IN DETERMINING LIMITATIONS**a. Serial Number**

Outfall 002 Quarry Drainage (Design Flow = N/A MGD)

b. Effluent Characteristics

Flow, Settleable Solids, pH, Oil and Grease, Precipitation.

c. Pertinent Factors

Outfall 002 is a future sedimentation pond that, as of May 2009, has not been constructed. It will be treated as an operational outfall on the permit, which means that the permittee will continue to submit Discharge Monitoring Reports, and will notify the Division of Water before construction is commenced.

d. Monitoring Requirements

Instantaneous flow measurements shall be collected twice per month.

Settleable Solids, Precipitation, and pH shall be monitored twice per month by grab sample.

Oil & Grease shall be monitored one per month by grab sample.

Samples are to be collected during normal working hours.

e. Justification of Conditions

The Kentucky regulations cited below have been duly promulgated pursuant to the requirements of Chapter 224 of the Kentucky Revised Statutes.

Flow and Precipitation

The monitoring requirements for these parameters are consistent with the requirements of 401 KAR 5:065, Section 2(8)(a).

Settleable Solids

The limits for this parameter are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. These limits are representative of the Division of Water's "Best Professional Judgment" (BPJ) determination of the "Best Practicable Control Technology Currently Available" (BPT) and "Best Available Technology Economically Achievable" (BAT) requirements for these types of discharges. The Division of Water based its determination on 40 CFR Part 434 Coal Mining Effluent Guidelines. The mining methods and wastewater treatment for clay, fluorspar, and other vein minerals are sufficiently similar to those for coal mining that application of this requirement is appropriate.

Oil & Grease

The limits for this parameters are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. These limits are representative of the Division of Water's "Best Professional Judgment" (BPJ) determination of the "Best Practicable Control Technology Currently Available" (BPT) and "Best Available Technology Economically Achievable" (BAT) requirements for these types of discharges.

pH

The limits for this parameter are consistent with the requirements of 401 KAR 10:031, Section 4.

3C. REPORTED DISCHARGE AND PROPOSED LIMITS

Serial Number 003 - Quarry Drainage (Design Flow = 54.3 MGD)

Effluent Characteristics	Reported Discharge		Proposed Limits		Applicable Water Quality Criteria and/or Effluent Guidelines
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	
Flow (MGD)	0.084	0.150	Report	Report	401 KAR 5:065, Section 2(8)
Settleable Solids (ml/l)	0.1	0.1	N/A	0.5	401 KAR 5:080, Section 1(2)(c)2
Oil and Grease (mg/l)	5.0	5.0	10.0	15.0	401 KAR 5:080, Section 1(2)(c)2
pH (standard units)	7.3	8.0	6.0 (min)	9.0 (max)	401 KAR 10:031, Section 4
Precipitation (inches/day)	0.29	0.83	Report	Report	401 KAR 5:065, Section 2(8)(a)

The data contained under the reported discharge columns is not from the renewal application, but rather from the analysis of the DMR data that has been reported during the term of the previous permit.

The abbreviation N/A means Not Applicable.

4C. METHODOLOGY USED IN DETERMINING LIMITATIONS

a. Serial Number

Outfall 003 Quarry Drainage (Design Flow = 54.3 MGD)

b. Effluent Characteristics

Flow, Settleable Solids, pH, Oil and Grease, Precipitation.

c. Pertinent Factors

N/A

d. Monitoring Requirements

Instantaneous flow measurements shall be collected twice per month.

Settleable Solids, Precipitation, and pH shall be monitored twice per month by grab sample.

Oil & Grease shall be monitored one per month by grab sample.

Samples are to be collected during normal working hours.

e. Justification of Conditions

The Kentucky regulations cited below have been duly promulgated pursuant to the requirements of Chapter 224 of the Kentucky Revised Statutes.

Flow and Precipitation

The monitoring requirements for these parameters are consistent with the requirements of 401 KAR 5:065, Section 2(8)(a).

Settleable Solids

The limits for this parameter are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. These limits are representative of the Division of Water's "Best Professional Judgment" (BPJ) determination of the "Best Practicable Control Technology Currently Available" (BPT) and "Best Available Technology Economically Achievable" (BAT) requirements for these types of discharges. The Division of Water based its determination on 40 CFR Part 434 Coal Mining Effluent Guidelines. The mining methods and wastewater treatment for clay, fluorspar, and other vein minerals are sufficiently similar to those for coal mining that application of this requirement is appropriate.

Oil & Grease

The limits for this parameters are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. These limits are representative of the Division of Water's "Best Professional Judgment" (BPJ) determination of the "Best Practicable Technology Currently Available" (BPT) and "Best Available Technology Economically Achievable" (BAT) requirements for these types of discharges.

pH

The limits for this parameter are consistent with the requirements of 401 KAR 10:031, Section 4.

3D. REPORTED DISCHARGE AND PROPOSED LIMITS

Serial Number 004 - Quarry Drainage (Design Flow = 84.3 MGD)

Effluent Characteristics	Reported Discharge		Proposed Limits		Applicable Water Quality Criteria and/or Effluent Guidelines
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	
Flow (MGD)	0.029	0.058	Report	Report	401 KAR 5:065, Section 2(8)
Settleable Solids (ml/l)	0.1	0.1	N/A	0.5	401 KAR 5:080, Section 1(2)(c)2
Oil and Grease (mg/l)	5.0	5.0	10.0	15.0	401 KAR 5:080, Section 1(2)(c)2
pH (standard units)	7.065	7.5	6.0 (min)	9.0 (max)	401 KAR 10:031, Section 4
Precipitation (inches/day)	0.3	0.83	Report	Report	401 KAR 5:065, Section 2(8)(a)

The data contained under the reported discharge columns is not from the renewal application, but rather from the analysis of the DMR data that has been reported during the term of the previous permit.

The abbreviation N/A means Not Applicable.

4C. METHODOLOGY USED IN DETERMINING LIMITATIONS

a. Serial Number

Outfall 004 Quarry Drainage (Design Flow = 84.3 MGD)

b. Effluent Characteristics

Flow, Settleable Solids, pH, Oil and Grease, Precipitation.

c. Pertinent Factors

N/A

d. Monitoring Requirements

Instantaneous flow measurements shall be collected twice per month.

Settleable Solids, Precipitation, and pH shall be monitored twice per month by grab sample.

Oil & Grease shall be monitored one per month by grab sample.

Samples are to be collected during normal working hours.

e. Justification of Conditions

The Kentucky regulations cited below have been duly promulgated pursuant to the requirements of Chapter 224 of the Kentucky Revised Statutes.

Flow and Precipitation

The monitoring requirements for these parameters are consistent with the requirements of 401 KAR 5:065, Section 2(8)(a).

Settleable Solids

The limits for this parameter are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. These limits are representative of the Division of Water's "Best Professional Judgment" (BPJ) determination of the "Best Practicable Control Technology Currently Available" (BPT) and "Best Available Technology Economically Achievable" (BAT) requirements for these types of discharges. The Division of Water based its determination on 40 CFR Part 434 Coal Mining Effluent Guidelines. The mining methods and wastewater treatment for clay, fluorspar, and other vein minerals are sufficiently similar to those for coal mining that application of this requirement is appropriate.

Oil & Grease

The limits for this parameters are consistent with the requirements of 401 KAR 5:080, Section 1(2)(c)2. These limits are representative of the Division of Water's "Best Professional Judgment" (BPJ) determination of the "Best Practicable Technology Currently Available" (BPT) and "Best Available Technology Economically Achievable" (BAT) requirements for these types of discharges.

pH

The limits for this parameter are consistent with the requirements of 401 KAR 10:031, Section 4.

5. **ANTIDEGRADATION**

The conditions of 401 KAR 10:029, Section 1 have been satisfied by this permit action. Since this permit action involves reissuance of an existing permit, and does not propose an expanded discharge, a review under 401 KAR 10:030 Section 1 is not applicable.

6. **PROPOSED COMPLIANCE SCHEDULE FOR ATTAINING EFFLUENT LIMITATIONS**

The permittee will comply with all effluent limitations by the effective date of the permit.

7. **PROPOSED SPECIAL CONDITIONS WHICH WILL HAVE A SIGNIFICANT IMPACT ON THE DISCHARGE**

Best Management Practices (BMP) Plan

Pursuant to 401 KAR 5:065, Section 2(10), a BMP requirement shall be included: to control or abate the discharge of pollutants from ancillary areas containing toxic or hazardous substances or those substances which could result in an environmental emergency; where numeric effluent limitations are infeasible; or to carry out the purposes and intent of KRS 224. The facility has several areas where support activities occur which have a potential of the discharge of such substances through stormwater runoff or spillage. Some of these areas will drain to present wastewater treatment plants, others will not.

Public Water Supply Intake Protection Requirements

The proposed discharge points for this facility are located within 5 miles upstream of the Crittenden/Livingston County Water District intake located on the Cumberland River at mile point 15.95. The KPDES Coal General permit (KYG040000) excludes from coverage those new or expanded operations that will discharge to a receiving water located within five (5) miles upstream of an existing public water supply intake. In order to protect the viability of the drinking water source, the permittee shall develop and implement a site specific Best Management Practices (BMP) Plan which shall include, under Section B - Specific Conditions of the BMP Plan, specific language addressing the protection of the public water supply's source waters. At a minimum this section should provide for the development and implementation of a source water monitoring program at the intake location, and notification procedures in the event of a catastrophic release from the operation. The source water monitoring plan should include those parameters required by the effluent requirements of this permit and should be monitored at a minimum of once per quarter. The permittee shall maintain these monitoring records in accordance with the requirements of 401 KAR 5:065, Section 1(10), and submit records upon written request by the Division of Water. The notification procedures shall detail the criteria by which a release is considered a catastrophic event, the methods which will be utilized to notify the impacted water supplier that such an event has occurred, and the names, telephone numbers, and e-mail addresses of the contacts with the subject water supply and those responsible persons representing the permittee. This site specific BMP Plan shall be developed and submitted to the Division of Water for review and comment within 90 days of the effective date of the permit. Implementation of the BMP Plan shall be within 180 days of the effective date of the permit.

8. **PERMIT DURATION**

Five (5) years. This facility is in the Four Rivers/Upper & Lower Cumberland Basin Management Unit as per the Kentucky Watershed Management Framework.

9. **PERMIT INFORMATION**

The application, draft permit, fact sheet, public notice, comments received, and additional information is available from the Division of Water at 200 Fair Oaks Lane, Frankfort, Kentucky 40601.

10. **REFERENCES AND CITED DOCUMENTS**

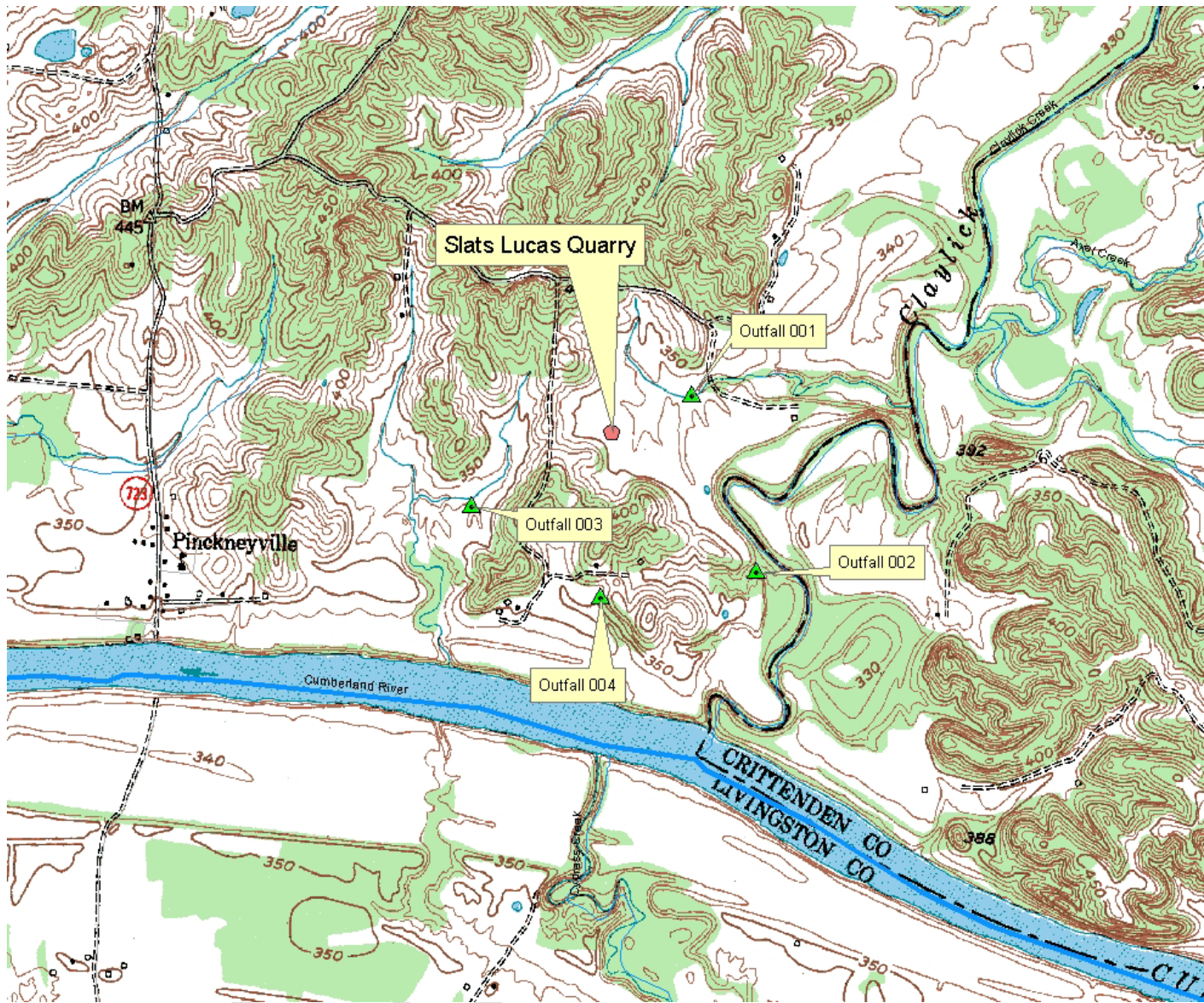
All material and documents referenced or cited in this fact sheet are a part of the permit information as described above and are readily available at the Division of Water Central Office. Information regarding these materials may be obtained from the person listed below.

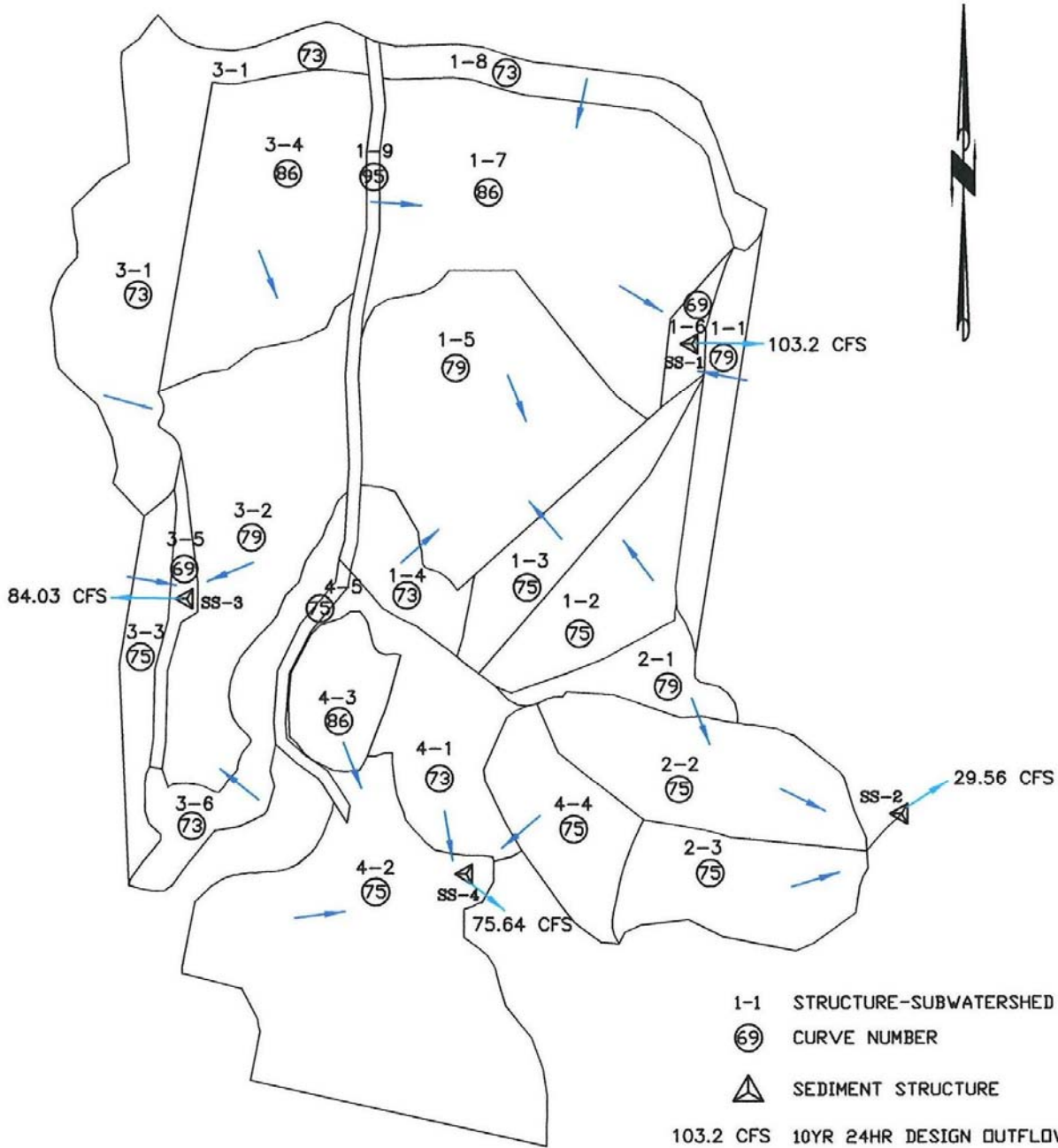
11. **CONTACT**


For further information on the draft permit or comment process, contact the individual identified on the Public Notice or the Permit Writer - William Shane at (502) 564-8158, extension 4893, or email William.Shane@ky.gov.

12. **PUBLIC NOTICE INFORMATION**

Please refer to the attached Public Notice for details regarding the procedures for a final decision, deadline for comments and other information required by 401 KAR 5:075, Section 4(2)(e).





 ENGINEERING CONSULTING SERVICES, INC. 340 S. BROADWAY, SUITE 200 LEXINGTON, KENTUCKY 40508 (859) 233-2103		308 HAMBLEY BOULEVARD PIKEVILLE, KENTUCKY 41501 (606) 432-2443
CLIENT: WARREN PAVING, INC.		
LOCATION: LIVINGSTON COUNTY		
DATE: 8/28/07	SCALE: 1"=800'	APPLICATION NO.: 070-9405 A2
TITLE: SUBWATERSHED FOR PONDS		

KPDES



KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM

PERMIT

PERMIT NO.: KY0105821
AI NO.: 55086

AUTHORIZATION TO DISCHARGE UNDER THE KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM

Pursuant to Authority in KRS 224,

Warren Paving, Inc.
562 Elks Lake Road
Hattiesburg, Mississippi 39403

is authorized to discharge from a facility located at

Slats Lucas Quarry
712 Lee Road
Salem, Livingston County, Kentucky

to receiving waters named

Outfall 001 discharges to an unnamed tributary to Claylick Creek at latitude 37°11'36"N and longitude 88°13'15"W (Mile Point 0.6).

Outfall 002 discharges to Claylick Creek at latitude 37°11'18"N and longitude 88°13'06"W (Mile Point 0.6).

Outfall 003 discharges to an unnamed tributary to Cumberland River at latitude 37°11'24"N and longitude 88°13'43"W (Mile Point 0.5).

Outfall 004 discharges to Cumberland River at latitude 37°11'15"N and longitude 88°13'26"W (Mile Point 16.9).

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II, III, and IV hereof. The permit consists of this cover sheet, Part I 5 pages, Part II 1 page, Part III 1 page, and Part IV 3 pages.

This permit shall become effective on.

This permit and the authorization to discharge shall expire at midnight,

Date Signed

Sandra L. Gruzesky, Director
Division of Water

PART I A1 - EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the term of this permit, the permittee is authorized to discharge from Outfall serial number: 001 - Quarry Drainage (Design Flow = 66.7 MGD)

Such discharges shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTICS</u>	<u>DISCHARGE LIMITATIONS</u>				<u>MONITORING REQUIREMENTS</u>	
	(lbs/day) Monthly Avg.	Daily Max.	Other Units (Specify) Monthly Avg.	Daily Max.	Measurement Frequency	Sample Type
Flow (MGD)	Report	Report	N/A	N/A	2/Month	Instantaneous
Settleable Solids (ml/l)	N/A	N/A	Not to exceed	0.5	2/Month	Grab
Oil and Grease (mg/l)	N/A	N/A	10.0	15.0	1/Month	Grab
pH (standard units)	N/A	N/A	6.0 (min)	9.0 (max)	2/Month	Grab
Precipitation (inches/day)	N/A	N/A	Report	Report	2/Month	Measured

There shall be no discharge of floating solids or visible foam or sheen in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: nearest accessible point prior to discharge to or mixing with the receiving waters or wastestreams from other outfalls.

The abbreviation N/A means Not Applicable.

PART I A2 - EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the term of this permit, the permittee is authorized to discharge from Outfall serial number: 002 - Quarry Drainage (Design Flow = N/A MGD)

Such discharges shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTICS</u>	<u>DISCHARGE LIMITATIONS</u>				<u>MONITORING REQUIREMENTS</u>	
	(lbs/day) <u>Monthly Avg.</u>	<u>Daily Max.</u>	Other Units (Specify) <u>Monthly Avg.</u>	<u>Daily Max.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow (MGD)	Report	Report	N/A	N/A	2/Month	Instantaneous
Settleable Solids (ml/l)	N/A	N/A	Not to exceed	0.5	2/Month	Grab
Oil and Grease (mg/l)	N/A	N/A	10.0	15.0	1/Month	Grab
pH (standard units)	N/A	N/A	6.0 (min)	9.0 (max)	2/Month	Grab
Precipitation (inches/day)	N/A	N/A	Report	Report	2/Month	Measured

There shall be no discharge of floating solids or visible foam or sheen in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: nearest accessible point prior to discharge to or mixing with the receiving waters or wastestreams from other outfalls.

The abbreviation N/A means Not Applicable.

PART I A3 - EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the term of this permit, the permittee is authorized to discharge from Outfall serial number: 003 - Quarry Drainage (Design Flow = 54.3 MGD)

Such discharges shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTICS</u>	<u>DISCHARGE LIMITATIONS</u>				<u>MONITORING REQUIREMENTS</u>	
	(lbs/day) <u>Monthly Avg.</u>	<u>Daily Max.</u>	Other Units (Specify) <u>Monthly Avg.</u>	<u>Daily Max.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow (MGD)	Report	Report	N/A	N/A	2/Month	Instantaneous
Settleable Solids (ml/l)	N/A	N/A	Not to exceed	0.5	2/Month	Grab
Oil and Grease (mg/l)	N/A	N/A	10.0	15.0	1/Month	Grab
pH (standard units)	N/A	N/A	6.0 (min)	9.0 (max)	2/Month	Grab
Precipitation (inches/day)	N/A	N/A	Report	Report	2/Month	Measured

There shall be no discharge of floating solids or visible foam or sheen in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: nearest accessible point prior to discharge to or mixing with the receiving waters or wastestreams from other outfalls.

The abbreviation N/A means Not Applicable.

PART I A4 - EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning on the effective date of this permit and lasting through the term of this permit, the permittee is authorized to discharge from Outfall serial number: 004 - Quarry Drainage (Design Flow = 84.3 MGD)

Such discharges shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTICS</u>	<u>DISCHARGE LIMITATIONS</u>				<u>MONITORING REQUIREMENTS</u>	
	(lbs/day) <u>Monthly Avg.</u>	<u>Daily Max.</u>	Other Units (Specify) <u>Monthly Avg.</u>	<u>Daily Max.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow (MGD)	Report	Report	N/A	N/A	2/Month	Instantaneous
Settleable Solids (ml/l)	N/A	N/A	Not to exceed	0.5	2/Month	Grab
Oil and Grease (mg/l)	N/A	N/A	10.0	15.0	1/Month	Grab
pH (standard units)	N/A	N/A	6.0 (min)	9.0 (max)	2/Month	Grab
Precipitation (inches/day)	N/A	N/A	Report	Report	2/Month	Measured

There shall be no discharge of floating solids or visible foam or sheen in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: nearest accessible point prior to discharge to or mixing with the receiving waters or wastestreams from other outfalls.

The abbreviation N/A means Not Applicable.

PART I B - SCHEDULE OF COMPLIANCE

The permittee shall achieve compliance with all requirements on the effective date of this permit.

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PART II - STANDARD CONDITIONS FOR KPDES PERMIT

This permit has been issued under the provisions of KRS Chapter 224 and regulations promulgated pursuant thereto. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits or licenses required by this Cabinet and other state, federal, and local agencies.

It is the responsibility of the permittee to demonstrate compliance with permit parameter limitations by utilization of sufficiently sensitive analytical methods.

The permittee is also advised that all KPDES permit conditions in KPDES Regulation 401 KAR 5:065, Section 1 will apply to all discharges authorized by this permit.

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PART III - OTHER REQUIREMENTS

A. Reporting of Monitoring Results

Monitoring results obtained during each monitoring period must be reported on a preprinted Discharge Monitoring Report (DMR) Form that will be mailed to you. The completed DMR for each monitoring period must be sent to the Division of Water at the address listed below (with a copy to the appropriate Regional Office) postmarked no later than the 28th day of the month following the monitoring period for which monitoring results were obtained.

Division of Water
Paducah Regional Office
130 Eagle Nest Drive
Paducah, Kentucky 42003
ATTN: Supervisor

Division of Water
Surface Water Permits Branch
Permit Support Section
200 Fair Oaks Lane
Frankfort, Kentucky 40601

B. Reopener Clause

This permit shall be modified, or alternatively revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under 401 KAR 5:050 through 5:086, if the effluent standard or limitation so issued or approved:

1. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
2. Controls any pollutant not limited in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of KRS Chapter 224 when applicable.

C. Public Water Supply Intake Protection Requirements

The proposed discharge points for this facility are located within 5 miles upstream of the Crittenden/Livingston County Water District intake located on the Cumberland River at mile point 15.95. The KPDES Coal General permit (KYG040000) excludes from coverage those new or expanded operations that will discharge to a receiving water located within five (5) miles upstream of an existing public water supply intake. In order to protect the viability of the drinking water source, the permittee shall develop and implement a site specific Best Management Practices (BMP) Plan which shall include, under Section B - Specific Conditions of the BMP Plan, specific language addressing the protection of the public water supply's source waters. At a minimum this section should provide for the development and implementation of a source water monitoring program at the intake location, and notification procedures in the event of a catastrophic release from the operation. The source water monitoring plan should include those parameters required by the effluent requirements of this permit and should be monitored at a minimum of once per quarter. The permittee shall maintain these monitoring records in accordance with the requirements of 401 KAR 5:065, Section 1(10), and submit records upon written request by the Division of Water. The notification procedures shall detail the criteria by which a release is considered a catastrophic event, the methods which will be utilized to notify the impacted water supplier that such an event has occurred, and the names, telephone numbers, and e-mail addresses of the contacts with the subject water supply and those responsible persons representing the permittee. This site specific BMP Plan shall be developed and submitted to the Division of Water for review and comment within 90 days of the effective date of the permit. Implementation of the BMP Plan shall be within 180 days of the effective date of the permit.

PART IV - BEST MANAGEMENT PRACTICES

SECTION A. GENERAL CONDITIONS

1. Applicability

These conditions apply to all permittees who use, manufacture, store, handle, or discharge any pollutant listed as: (1) toxic under Section 307(a)(1) of the Clean Water Act; (2) oil, as defined in Section 311(a)(1) of the Act; (3) any pollutant listed as hazardous under Section 311 of the Act; or (4) is defined as a pollutant pursuant to KRS 224.01-010(35) and who have ancillary manufacturing operations which could result in (1) the release of a hazardous substance, pollutant, or contaminant, or (2) an environmental emergency, as defined in KRS 224.01-400, as amended, or any regulation promulgated pursuant thereto (hereinafter, the "BMP pollutants"). These operations include material storage areas; plant site runoff; in-plant transfer, process and material handling areas; loading and unloading operations, and sludge and waste disposal areas.

2. BMP Plan

The permittee shall develop and implement a Best Management Practices (BMP) plan consistent with 401 KAR 5:065, Section 2(10) pursuant to KRS 224.70-110, which prevents or minimizes the potential for the release of "BMP pollutants" from ancillary activities through plant site runoff; spillage or leaks, sludge or waste disposal; or drainage from raw material storage. A Best Management Practices (BMP) plan will be prepared by the permittee unless the permittee can demonstrate through the submission of a BMP outline that the elements and intent of the BMP have been fulfilled through the use of existing plans such as the Spill Prevention Control and Countermeasure (SPCC) plans, contingency plans, and other applicable documents.

3. Implementation

If this is the first time for the BMP requirement, then the plan shall be developed and submitted to the Division of Water within 90 days of the effective date of the permit. Implementation shall be within 180 days of that submission. For permit renewals the plan in effect at the time of permit reissuance shall remain in effect. Modifications to the plan as a result of ineffectiveness or plan changes to the facility shall be submitted to the Division of Water and implemented as soon as possible.

4. General Requirements

The BMP plan shall:

- a. Be documented in narrative form, and shall include any necessary plot plans, drawings, or maps.
- b. Establish specific objectives for the control of toxic and hazardous pollutants.
 - (1) Each facility component or system shall be examined for its potential for causing a release of "BMP pollutants" due to equipment failure, improper operation, natural phenomena such as rain or snowfall, etc.

(2) Where experience indicates a reasonable potential for equipment failure (e.g., a tank overflow or leakage), natural condition (e.g., precipitation), or other circumstances which could result in a release of "BMP pollutants," the plan should include a prediction of the direction, rate of flow, and total quantity of the pollutants which could be released from the facility as result of each condition or circumstance.

- c. Establish specific Best Management Practices to meet the objectives identified under paragraph b of this section, addressing each component or system capable of causing a release of "BMP pollutants."
- d. Include any special conditions established in part b of this section.
- e. Be reviewed by plant engineering staff and the plant manager.

5. Specific Requirements

The plan shall be consistent with the general guidance contained in the publication entitled "NPDES Best Management Practices Guidance Document," and shall include the following baseline BMPs as a minimum.

- a. BMP Committee
- b. Reporting of BMP Incidents
- c. Risk Identification and Assessment
- d. Employee Training
- e. Inspections and Records
- f. Preventive Maintenance
- g. Good Housekeeping
- h. Materials Compatibility
- i. Security
- j. Materials Inventory

6. SPCC Plans

The BMP plan may reflect requirements for Spill Prevention Control and Countermeasure (SPCC) plans under Section 311 of the Act and 40 CFR Part 151, and may incorporate any part of such plans into the BMP plan by reference.

7. Hazardous Waste Management

The permittee shall assure the proper management of solid and hazardous waste in accordance with the regulations promulgated under the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1978 (RCRA) (40 U.S.C. 6901 et seq.) Management practices required under RCRA regulations shall be referenced in the BMP plan.

8. Documentation

The permittee shall maintain a description of the BMP plan at the facility and shall make the plan available upon request to EEC personnel. Initial copies and modifications thereof shall be sent to the following addresses when required by Section 3:

Division of Water
Paducah Regional Office
130 Eagle Nest Drive
Paducah, Kentucky 42003
ATTN: Supervisor

Division of Water
Surface Water Permits Branch
Permit Support Section
200 Fair Oaks Lane
Frankfort, Kentucky 40601

9. BMP Plan Modification

The permittee shall amend the BMP plan whenever there is a change in the facility or change in the operation of the facility which materially increases the potential for the ancillary activities to result in the release of "BMP pollutants."

10. Modification for Ineffectiveness

If the BMP plan proves to be ineffective in achieving the general objective of preventing the release of "BMP pollutants," then the specific objectives and requirements under paragraphs b and c of Section 4, the permit, and/or the BMP plan shall be subject to modification to incorporate revised BMP requirements. If at any time following the issuance of this permit the BMP plan is found to be inadequate pursuant to a state or federal site inspection or plan review, the plan shall be modified to incorporate such changes necessary to resolve the concerns.

SECTION B. SPECIFIC CONDITIONS

Public Water Supply Intake Protection Requirements

At a minimum, this section should provide for the development and implementation of a source water monitoring program at the intake location, and notification procedures in the event of a catastrophic release from the operation. The source water monitoring plan should include those parameters required by the effluent requirements of this permit and should be monitored at a minimum of once per quarter. The permittee shall maintain these monitoring records in accordance with the requirements of 401 KAR 5:065, Section 1(10), and submit records upon written request by the Division of Water. The notification procedures shall detail the criteria by which a release is considered a catastrophic event, the methods that will be utilized to notify the impacted water supplier that such an event has occurred, and the names, telephone numbers, and e-mail addresses of the contacts with the subject water supply and those responsible persons representing the permittee.